

JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

BRIAN J. STRETCH (CABN 163973)  
Chief, Criminal Division

GARTH HIRE (CABN 187330)  
Assistant United States Attorney

1301 Clay Street, Suite 340-S  
Oakland, California 94612-5217  
Telephone: (510) 637-3929  
Facsimile: (510) 637-3724  
E-Mail: Garth.Hire@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR 09-00070 SBA
	)	
Plaintiff,	)	STIPULATION AND ORDER
	)	CONTINUING STATUS CONFERENCE
v.	)	AND EXCLUDING TIME
	)	
JEROME TOY SINCLAIR,	)	
	)	
Defendants.	)	

Plaintiff, by and through its attorney of record, and defendant, by and through his attorney of record, hereby stipulate and ask the Court to find as follows:

1. A status conference in this matter is currently scheduled for 9 a.m. on Tuesday, October 27, 2009.
2. The parties request that this hearing be continued until 9 a.m. on Tuesday, November 17, 2009, in order to provide defendant's counsel with additional time to evaluate the evidence in this case and determine whether or not defendant should enter a change of plea or file motions and to prepare for trial in this matter.

STIPULATION AND ORDER RESCHEDULING  
HEARING; EXCLUDING TIME



**ORDER**

FOR GOOD CAUSE SHOWN, IT IS SO FOUND AND ORDERED THAT:

1. The currently scheduled October 27, 2009, status conference hearing is vacated.  
A status conference hearing is now scheduled for 9:00 a.m. on November 17, 2009.

2. The time period from October 27, 2009, to November 17, 2009, is deemed excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv) because it results from a continuance granted by the Court at the defendant's request and on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial and because failure to grant the continuance would unreasonably deny defense counsel the time necessary for effective preparation for trial, taking into account due diligence.

DATED: 10/26/09

  
HONORABLE SAUNDRA BROWN ARMSTRONG  
UNITED STATES DISTRICT JUDGE